

Article - State Government

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§9-1A-01.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Applicant” means a person who applies for any license required under this subtitle.
- (c) “Associated equipment” means hardware located on the licensee’s premises that is connected to the video lottery system for the purpose of performing communication, validation, or other functions, but not including the communication facilities of a regulated utility or the video lottery terminals.
- (d) “Average payout percentage” means the average percentage of money used by players to play a video lottery terminal that is returned to players of that video lottery terminal.
- (e) “Award” means the act, by the Video Lottery Facility Location Commission, of approving the issuance of a video lottery operation license by the State Lottery and Gaming Control Commission to an applicant for the operation of video lottery terminals at a specified location.
- (f) “Background investigation” means a security, criminal, and credit investigation of a person who applies for or who is granted a license under this subtitle.
- (g) “Career offender” means a person whose behavior is pursued in an occupational manner or context for the purpose of economic gain and who utilizes methods that are deemed by the Commission as criminal violations inimical to the interest of the State.
- (h) “Career offender cartel” means a group of persons who operate together as career offenders.
- (i) “Central monitor and control system” means a central system provided to and controlled by the Commission to which video lottery terminals communicate for purposes of:
 - (1) information retrieval;

(2) retrieval of the win and loss determination from video lottery terminals; and

(3) programs to activate and disable video lottery terminals.

(j) “Central Repository” means the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services.

(k) “Commission” means the State Lottery and Gaming Control Commission.

(l) “Control” means the authority to direct the management and policies of an applicant or licensee.

(m) “Costs” means, unless the context otherwise requires, the expenses incurred by the Commission in the administration of this subtitle, including:

(1) the costs of leasing or the capitalized cost of purchasing the video lottery terminals, central monitor and control system, and associated equipment and software;

(2) the costs to repair and maintain the video lottery terminals, central monitor and control system, and associated equipment and software to the extent these costs are not included in the costs of leasing or purchasing the video lottery terminals, central monitor and control system, and associated equipment and software;

(3) the costs of testing and examination of video lottery terminals and the central monitor and control system; and

(4) the costs of performing background investigations and other related activities.

(n) “Family” means spouse, parents, grandparents, children, grandchildren, siblings, uncles, aunts, nephews, nieces, fathers-in-law, mothers-in-law, daughters-in-law, sons-in-law, brothers-in-law, and sisters-in-law, whether by whole blood or half blood, marriage, adoption, or natural relationship.

(o) “Institutional investor” means:

(1) a retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees;

(2) an investment company registered under the Investment Company Act of 1940;

(3) a collective investment trust organized by banks under Part 9 of the rules of the Comptroller of the Currency;

(4) a closed end investment trust;

(5) a chartered or licensed life insurance company;

(6) a property and casualty insurance company;

(7) a banking or other chartered or licensed lending institution;

(8) an investment advisor registered under the Investment Advisors Act of 1940; or

(9) any other person registered in any foreign jurisdiction and regulated in accordance with a statute of any foreign jurisdiction that the Commission determines to be substantially similar to that regulated by the Investment Company Act of 1940 or the Investment Advisors Act of 1940.

(p) “License” means, unless the context otherwise requires, a license required under this subtitle.

(q) “Licensee” means an applicant who has been issued a license required under this subtitle.

(r) “Manufacturer” means a person:

(1) (i) that is engaged in the business of designing, building, constructing, assembling, manufacturing, or distributing a central monitor and control system, video lottery terminals, associated equipment or software, or the cabinet in which a video lottery terminal is housed;

(ii) that produces a product that is intended for sale, lease, or other assignment to the Commission or a licensee; and

(iii) that contracts with the Commission or a licensee for the sale, lease, or other assignment of a product described in item (i) of this item; or

(2) (i) that is engaged in the business of designing, building, constructing, assembling, manufacturing, or distributing table games or table game equipment;

(ii) that produces a product related to table games that is intended for sale, lease, or other assignment to a licensee; and

(iii) that contracts with a licensee for the sale, lease, or other assignment of a product described in item (i) of this item.

(s) “Own” means having a beneficial or proprietary interest of at least 5% in the property or business of an applicant or licensee.

(t) “Player” means an individual who plays a video lottery terminal at a video lottery facility licensed by the Commission.

(u) (1) “Proceeds” means the part of the amount of money bet through video lottery terminals and table games that is not returned to successful players but is otherwise allocated under this subtitle.

(2) (i) “Proceeds” may be reduced consistent with regulations adopted by the Commission in accordance with subparagraph (ii) of this paragraph.

(ii) If a video lottery operation licensee returns to successful players more than the amount of money bet through video lottery terminals or table games on a given day, the video lottery licensee may subtract that amount from the proceeds of up to 7 following days.

(3) (i) Subject to subparagraph (ii) of this paragraph, “proceeds” does not include money given away by a video lottery operation licensee as free promotional play and used by players to bet in a video lottery terminal or at a table game.

(ii) After the first fiscal year of operations, the exclusion specified in subparagraph (i) of this paragraph may not exceed a percentage established by the Commission by regulation of the proceeds received from video lottery terminals and table games in the prior fiscal year by the video lottery operation licensee under § 9–1A–27(a)(2), (c)(1)(ii), and (d)(1) of this subtitle.

(v) “Progressive jackpot” means a prize that increases as one or more video lottery terminals are connected to a progressive jackpot system.

(w) “Progressive jackpot system” means a system capable of linking one or more video lottery terminals in one or more licensed facilities and offering one or more common progressive jackpots.

(w-1) “Table game equipment” means equipment that is related to the operation of table games and that is owned or leased by the video lottery facility and located on the video lottery facility’s premises.

(w-2) “Table games” means:

(1) roulette, baccarat, blackjack, craps, big six wheel, minibaccarat, poker, pai gow poker, and sic bo, or any variation and composites of such games; and

(2) gaming tournaments in which players compete against one another in one or more of the games authorized under item (1) of this subsection.

(x) “Video lottery” means gaming or betting conducted using a video lottery terminal.

(y) “Video lottery destination location” means a location that is eligible for or has been awarded in the manner provided by law a video lottery operation license.

(z) “Video lottery employee” means an employee of a person who holds a license.

(aa) “Video lottery facility” means:

(1) a facility at which players play video lottery terminals and table games under this subtitle; and

(2) a casino for the purposes of the federal Bank Secrecy Act of 1970 and its related regulations.

(bb) “Video lottery operation license” means a license awarded by the Video Lottery Facility Location Commission and issued by the State Lottery and Gaming Control Commission to a person that allows players to play video lottery terminals and table games.

(cc) “Video lottery operator” means a person licensed to operate a video lottery facility under this subtitle.

(dd) (1) “Video lottery terminal” means any machine or other device that, on insertion of a bill, coin, token, voucher, ticket, coupon, or similar item, or on payment of any consideration:

(i) is available to play or simulate the play of any game of chance in which the results, including the options available to the player, are randomly determined by the machine or other device; and

(ii) by the element of chance, may deliver or entitle the player who operates the machine or device to receive cash, premiums, merchandise, tokens, or anything of value, whether the payout is made automatically from the device or in any other manner.

(2) “Video lottery terminal” includes a machine or device:

(i) that does not directly dispense money, tokens, or anything of value to winning players; and

(ii) described under paragraph (1) of this subsection that uses an electronic credit system making the deposit of bills, coins, or tokens unnecessary.

(3) “Video lottery terminal” does not include an authorized slot machine operated by an eligible organization under Title 12, Subtitle 3 of the Criminal Law Article.

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